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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,831	01/08/2002	Seikei Lee	22738.00400	4500
58076	7590	10/16/2007		
REED SMITH, LLP TWO EMBARCADERO CENTER SUITE 2000 SAN FRANCISCO, CA 94111			EXAMINER STRANGE, AARON N	
			ART UNIT 2153	PAPER NUMBER
			MAIL DATE 10/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/042,831

Applicant(s)

LEE ET AL.

Examiner

Aaron Strange

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The Examiner would like to note that the present application has been reassigned to a new Examiner.

### ***Terminal Disclaimer***

2. The terminal disclaimers filed on 8/6/07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 7,016,936 or the expiration date of any patent granted on pending US Application No. 10/042,485 has been reviewed and is accepted. The terminal disclaimers have been recorded.

### ***Response to Arguments***

3. Applicant's arguments filed 8-6/07 have been fully considered but they are not persuasive.
4. With regard to claims 2, 7, 12, and 17, and Applicant's assertion that "the storage of the specific [claimed] data is not disclosed by the prior art of record" (Remarks, 14), it is noted that the claimed data does not functionally change either the network conferencing system or proceedings preparation method used each of the independent claims. Nonfunctional descriptive material cannot render nonobvious an invention that would have otherwise been obvious. *In re Ngai*, 367 F.3d 1336, 1339, 70 USPQ2d 1862, 1864 (Fed. Cir. 2004). *Cf. In re Gulack*, 703 F.2d 1381, 1385, 21 7 USPQ 401,

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404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability). In this case, the difference between the prior art and the claimed invention is simply a rearrangement of nonfunctional descriptive material, which is presumed to be well within the level of ordinary skill in the art at the time the invention was made. See *Ex Parte Curry*, Appeal No. 2005-0509 (Appl. No. 09/449,237) (*aff'd*, Appeal No. 06-1003 (Fed. Cir. Jun. 12, 2006)(Rule 36)(unpublished)).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (U.S. Patent Number 5,440,624; hereinafter Schoof) and Minnenman et al. (A Confederation of Tools for Capturing and Accessing Collaborative Activity; hereinafter Minnenman) and McNerney et al. (U.S. Patent Number 5,999,208; hereinafter McNerney).**

7. Regarding claims 2, 7, 12, and 17, Schoof disclosed a network conferencing system in which an output electronic equipment for presenting the contents of

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presentation (Figure 1A, data, voice fax, and bridge terminals), a generating electronic equipment for generating the contents of presentation to be presented by the output electronic equipment (Figure 1A, data, voice fax, and bridge terminals) (any of the attendees can generate and present data during the conference, see Col 3, lines 6-19 and Col 6, lines 54-63), a plurality of attendant electronic equipments (Figure 1A, any of the terminals), and a conference management server (Conference Controller, Col 5, line 62 – Col 6, line 4) connected with the output electronic equipment and the attendant electronic equipments so as to transmit and receive information to and from the output electronic equipment and the attendant electronic equipments, are connected via a communication network (Figure 1A), each of the attendant electronic equipments having an information input/output function for inputting and outputting information from and to the other attendant electronic equipments and the output electronic equipment via the communication network (Col 3, lines 6-19), a presentation function for presenting the contents of presentation by using the output electronic equipment (Col 3, lines 6-19 and 46-61), a presentation contents browsing function for browsing the contents of presentation presented by the presentation function of the other attendant electronic equipments using the output electronic equipment (Col 4, lines 4-26), an authentication function for carrying out authentication of attendance of the other attendant electronic equipments at a conference (Col 4, lines 36-41), an equipment management function for managing the state of each electronic equipment connected to the communication network (Col 3, lines 20-45), and a proceedings control function for obtaining information for preparing the proceedings by using the contents of presentation

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presented by the presentation function (generating the complete archived record, Col 6, lines 64-68),

- the conference management server comprising:
- input/output means for inputting presentation data presented by the presentation function using the output electronic equipment, from the attendant electronic equipment, then outputting the presentation data to the output electronic equipment, and for inputting material data generated by the generating electronic equipment, then outputting the material data to the output electronic equipment (Col 8, lines 4-6);
- conference management information preparation means for preparing conference management information relating to the conference (Rules, Col 7, lines 21-45);
- storage means (Col 11, lines 10-15) for associating the presentation data presented by the output electronic equipment with *information indicating the presentation data presented* (keyed item – defined as any data defined to be associated with certain archived record data), generated by the input/output means, and thus storing the presentation data and the information, while associating the material data generated by the generating electronic equipment with the information indicating the material data presented, generated by the input/output means, and thus storing the material data and the information, and for storing the conference management information prepared by the conference management information preparation means (Col 6, line 64 - Col 7, line 10); and

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- proceedings data preparation means (conference controller) for arranging the conference management information, the presentation data and the material data in accordance with information (keyed items) and thus preparing proceedings data (complete record of the proceedings stored in memory) (Col 6, line 64 - Col 7, line 10).

Schoof failed to specifically recite that the stored presentation and material data is associated with *time information* indicating when the presentation data is presented or the specific contents of the conference management information. Nevertheless Schoof did disclose that a complete record of the conference is recorded and associated data items (keyed items) so a recorded conference can later be reviewed using the keyed items (Col 6, line 64 - Col 7, line 10). However Schoof was silent as to any specific keyed items that should be used, thus one of ordinary skill in the art at the time of the invention would have been motivated to seek out useful keyed items to be associated with the stored data. In an analogous art, Minnenman discloses a conferencing system where presentation data from a conference is stored and associated with time information (Minnenman See indexing pgs 3 and 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate that time indexing features, disclosed by Minnenman, within the Schoof system as a keyed item, since Minnenman disclosed time information is a meaningful pointer used to access archived records (Minnenman See indexing on pgs 3 and 4).

Schoof also discloses preparing conference management information (Rules, Col 7, lines 21-45), discloses that the rules may be "formed by whatever means desired", and provides some examples of rules. One of ordinary skill in the art would have been able to select the appropriate rules, as suggested by Schoof, including the rules explicitly claimed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare the specifically claimed conference management data, if desired.

Additionally, both Schoof and Minnenman failed to specifically recite a display function for displaying, as icons, the other attendees of the conference. Nevertheless it was well known at the time of the invention to display conference attendees as icons within electronic conferencing systems, as evidenced by McNerney. In an analogous conferencing system, McNerney discloses displaying conference attendees as icons within a virtually reality meeting room (See Figure 4) in order to provide a realistic conference room setting along with providing attendees the tools to identify both the speakers and their communication properties (McNerney Col 5, lines 20-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate that above teachings of McNerney within the combined system of Schoof and Minnenman, in order to provide a realistic conference room setting along with providing attendees the tools to identify both the speakers and their communication properties (McNerney Col 5, lines 20-44).



The Schoof and Minnenman also failed to specifically recite the display unit has a separate area for icon display of the generating electronic equipment and an area for icon display of the output electronic equipment, thus providing the icon display of the generating electronic equipment and the icon display of the output electronic equipment. Nonetheless such an interface scheme was widely known in the art at the time of Applicant's invention, as evidenced by at least McNerney. In a similar conferencing system, McNerney disclosed point and click interface including a separate area for icon display of the generating electronic equipment (e.g. see figure 4 and Col 6, lines 33-44, where the user may select the generating electronic equipment from icons on the interface, i.e. icons 603-607, the equipment can include any one of file drawers 603, mail box 604, video player 605, blackboard 606, projector screen 607, and the like, see Col 6, lines 11-15), and an area for icon display of the output electronic equipment (e.g. the selected content is then output in the virtual room, on the conference table for instance, Col 6, lines 55-58, see inter alia Col 6, line 48- Col 7, line 16), thus providing the icon display of the generating electronic equipment and the icon display of the output electronic equipment (i.e. both the icons and the output are displayed in the virtual reality mixed media meeting room). McNerney further disclosed that such an interface is beneficial to users since they no longer need to be aware specific controls or keyboard entries to control their participation (McNerney Col 6, lines 29-39).

Thus, it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate McNerney's conferencing interface scheme within the combined Schoof and Minnenman system, so users no longer need to be aware

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specific controls or keyboard entries to control their participation in a conference (McNerney Col 6, lines 29-39).

8. Regarding claims 3, 8, 13, and 18, Schoof discloses the storage means stores the format of the data generated by the generating electronic equipment, and the proceedings data preparation means arranges the data in accordance with the format stored in the storage means (keyed items, Col 6, line 64 - Col 7, line 10).

9. Regarding claims 4, 9, 14, and 19, Schoof discloses a camera device (Figure 1A, Component 112) for imaging the contents (e.g. video conferencing, Col 5, lines 45-46) of the conference is further connected with the communication network, and the storage means associates image data and audio data picked up by the camera device with time information indicating when the image data and audio data are picked up by the camera device and thus storing the image data and audio data and the time information (archived record Col 6, lines 64-66).

10. Regarding claims 5, 10, 15, and 20, Schoof discloses the proceedings data preparation means prepares proceedings data for displaying presentation data and material data presented in the same time period, on the same screen (Col 6, line 64 - Col 7, line 6).

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11. Regarding claims 6, 11, 16, and 21, Schoof discloses the input/output means inputs memorandum data generated at a chairman terminal (conference controller) having the proceedings control function, of the attendant electronic equipments, and prepares time information indicating when the memorandum data is inputted, and the storage means associates the memorandum data with the time information and thus storing the memorandum data and the time information (complete archived record, Col 6, lines 64-65).

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS  
10/8/07



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